

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FREE HOLDINGS INC.,

Plaintiff,

-against-

KEVIN McCOY and SOTHEBY'S INC.,

Defendants.

ECF CASE

Case No.: 1:22-cv-00881

**STIPULATION AND
[PROPOSED] ORDER**

WHEREAS, on or about February 1, 2022, plaintiff Free Holdings Inc. ("Plaintiff") filed its Complaint against defendants Kevin McCoy ("McCoy"), Sotheby's Inc. ("Sotheby's"), Nameless Corporation ("Nameless") and Alex Amsel ("Amsel"); and

WHEREAS, on or about March 7, 2022, Plaintiff voluntarily dismissed the action, without prejudice, against Amsel; and

WHEREAS, on or about April 1, 2022, McCoy, Sotheby's and Nameless jointly filed a pre-motion to dismiss letter with the Court seeking to dismiss all claims in the Complaint; and

WHEREAS, on or about April 13, 2022, the Court so ordered a Stipulation between the parties providing that: (i) Plaintiff could file an Amended Complaint by May 9, 2022; (ii) McCoy's, Sotheby's and Nameless's deadline to answer, move or otherwise respond to the initial Complaint was adjourned *sine die*; and (iii) the parties were to confer to set a new deadline for McCoy, Sotheby's and Nameless to answer, move or otherwise respond to the anticipated Amended Complaint; and

WHEREAS, on or about May 9, 2022, Plaintiff voluntarily dismissed the action, with prejudice, against Nameless; and

WHEREAS, on May 9, 2022, Plaintiff filed its Amended Complaint against McCoy and Sotheby's; and

WHEREAS, Plaintiff, McCoy and Sotheby's have conferred to set a deadline for McCoy and Sotheby's to answer, move or otherwise respond to the Amended Complaint.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, McCoy and Sotheby's, that McCoy and Sotheby's shall each (or jointly) answer, move or otherwise respond to the Amended Complaint by June 30, 2022.

Dated: New York, New York
May 16, 2022

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Attorneys for Defendant Sotheby's Inc.

SO ORDERED:

U.S.M.J.

Dated